

# **EXHIBIT “A”**

Court of Common Pleas of Philadelphia County

Trial Division

**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)	
<b>APRIL 2022</b>	
E-Filing Number: 2204057275	
<b>002445</b>	

PLAINTIFF'S NAME ALIM KHALMURATOV		DEFENDANT'S NAME IVAN MARINKIN		
PLAINTIFF'S ADDRESS 10900 BUSTLETON AVENUE APARTMENT A47 PHILADELPHIA PA 19116		DEFENDANT'S ADDRESS 1761 FOSTER STREET APARTMENT F4B PHILADELPHIA PA 19116		
PLAINTIFF'S NAME NARGIZA KHALMURATOVA		DEFENDANT'S NAME 116 CARRIERS, INC		
PLAINTIFF'S ADDRESS 10900 BUSTLETON AVENUE APARTMENT A47 PHILADELPHIA PA 19116		DEFENDANT'S ADDRESS 5777 KENNEDY AVENUE CINCINNATI OH 45213		
PLAINTIFF'S NAME		DEFENDANT'S NAME		
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS		
TOTAL NUMBER OF PLAINTIFFS  2	TOTAL NUMBER OF DEFENDANTS  2	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions		
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Other:	<input type="checkbox"/> Mass Tort <input type="checkbox"/> Savings Action <input type="checkbox"/> Petition	<input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals	<input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival
CASE TYPE AND CODE 2V - MOTOR VEHICLE ACCIDENT				
STATUTORY BASIS FOR CAUSE OF ACTION				
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)  <b>FILED PRO PROTYPY</b> <b>APR 28 2022</b> <b>R. SCHREIBER</b>			IS CASE SUBJECT TO COORDINATION ORDER? YES      NO	

## TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: ALIM KHALMURATOV, NARGIZA KHALMURATOVA  
 Papers may be served at the address set forth below.

NAME OF PLAINTIFF/S/PETITIONER/S/APPELLANT'S ATTORNEY NEIL HOFFMAN		ADDRESS 737 SECOND STREET PIKE SOUTHAMPTON PA 18966
PHONE NUMBER (215) 953-8955	FAX NUMBER (215) 953-9323	
SUPREME COURT IDENTIFICATION NO. 35592		E-MAIL ADDRESS nhoffman@hskinjurylaw.com
SIGNATURE OF FILING ATTORNEY OR PARTY NEIL HOFFMAN		DATE SUBMITTED Thursday, April 28, 2022, 10:12 am

NEIL HOFFMAN, ESQUIRE  
 HOFFMAN, STERNBERG, KARPF & LYNCH, LLC  
 737 SECOND STREET PIKE  
 SOUTHAMPTON, PA 18966  
 (215) 953-8955  
 IDENTIFICATION NO. 35592

MAJOR CASE  
 JURY TRIAL DEMANDED  
 Filed and Attested by the  
 Office of Judicial Records  
 08 AUG 2022 10:57 pm  
 B. MERCEDEZ  


ATTORNEY FOR PLAINTIFFS

ALIM KHALMURATOV and	:
NARGIZA KHALMURATOVA, w/h	:
10900 Bustleton Avenue, Apt. A47	:
Philadelphia, PA 19116	:
vs.	:
IVAN MARINKIN	:
1761 Foster Street, Apt. F4B	:
Philadelphia, PA 19116	:
and	:
116 CARRIERS, INC	:
5777 Kennedy Avenue	:
Cincinnati, OH 45213	:

PHILADELPHIA COUNTY  
 COURT OF COMMON PLEAS  
 CIVIL TRIAL DIVISION

TERM, 2022  
 NO.

#### NOTICE TO DEFEND

##### **NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property of other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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 Philadelphia, Pennsylvania 19107  
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##### **AVISO**

Le han demandado en corte. Si usted desea defender contra las demandas dispuestas en las páginas siguientes, usted debe tomar la acción en el plazo de veinte (20) días después de esta queja y se sirve el aviso, incorporando un aspecto escrito personalmente o y archivando en escribir con la corte sus defensas u objeciones a las demandas dispuestas contra usted el abogado le advierte que que si usted no puede hacer así que el caso puede proceder sin usted y un juicio se puede incorporar contra usted compra la corte sin aviso adicional para cualquier dinero demandado en la queja o para cualquier otra demanda o relevación pedida por el demandante. Usted puede perder el dinero o la característica de otra endereza importante a usted.

USTED DEBE LLEVAR ESTE PAPEL SU ABOGADO INMEDIATAMENTE. SI USTED NO HACE QUE UN ABOGADO VAYA A O LLAME POR TELÉFONO LA OFICINA DISPUESTA ABAJO. ESTA OFICINA PUEDE PROVEER DE USTED LA INFORMACIÓN SOBRE EMPLEAR A UN ABOGADO. SI USTED NO PUEDE PERMITIRSE AL HIRE A UN ABOGADO, ESTA OFICINA PUEDE PODER PROVEER DE USTED LA INFORMACIÓN SOBRE LAS AGENCIAS QUE LOS SERVICIOS JURÍDICOS DE LA OFERTA DE MAYO A LAS PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO O NINGÚN HONORARIO

SERVICIO DE REFERENCIA LEGAL  
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NEIL HOFFMAN, ESQUIRE  
HOFFMAN, STERNBERG, KARPF & LYNCH, LLC  
737 SECOND STREET PIKE  
SOUTHAMPTON, PA 18966  
(215) 953-8955  
IDENTIFICATION NO. 35592

MAJOR CASE  
JURY TRIAL DEMANDED

ALIM KHALMURATOV and  
NARGIZA KHALMURATOVA, w/h  
10900 Bustleton Avenue, Apt. A47  
Philadelphia, PA 19116

ATTORNEY FOR PLAINTIFFS

PHILADELPHIA COUNTY  
COURT OF COMMON PLEAS  
CIVIL TRIAL DIVISION

vs.

TERM, 2022

IVAN MARINKIN  
1761 Foster Street, Apt. F4B  
Philadelphia, PA 19116

NO.

and

116 CARRIERS, INC  
5777 Kennedy Avenue  
Cincinnati, OH 45213

CIVIL ACTION

1. Plaintiffs, ALIM KHALMURATOV and NARGIZA KHALMURATOVA, are married individuals who currently reside at 10900 Bustleton Avenue, Apt. A47, Philadelphia, Pennsylvania 19116.

2. Defendant, IVAN MARINKIN, is an individual who currently resides at 1761 Foster Street, Apt. F4B, Philadelphia, Pennsylvania 19116.

3. At all times material to this Civil Action, Defendant, IVAN MARINKIN, acted or failed to act as an agent, servant, workman and/or employee of Defendant, 116 CARRIERS, INC, who was then and there acting within the course and scope of his employment with said Defendant and in furtherance of the business of said Defendant.

4. In the alternative, at all times material to this Civil Action, Defendant, IVAN MARINKIN, acted or failed to act individually or through his agents, servants, workmen and/or employees who were then and there acting within the course and scope of their employment with said Defendant and in furtherance of the business of said Defendant.

5. Defendant, 116 CARRIERS, INC, is a foreign corporation organized under the laws of the State of Ohio, which regularly conducts business within the city and county of Philadelphia and maintains a registered address for service of process at 5777 Kennedy Avenue, Cincinnati, Ohio 45213.

6. At all times material to this Civil Action, Defendant, 116 CARRIERS, INC, acted or failed to act as an agent, servant, workman and/or employee of Defendant, IVAN MARINKIN, which was then and there acting within the course and scope of its employment with said Defendant and in furtherance of the business of said Defendant.

7. In the alternative, at all times material to this Civil Action, Defendant, 116 CARRIERS, INC, acted or failed to act individually or through its agents, servants, workmen and/or employees who were then and there acting within the course and scope of their employment with said Defendant and in furtherance of the business of said Defendant.

8. Defendants, IVAN MARINKIN and 116 CARRIERS, INC, shall be collectively referred to, hereinafter, as the "DEFENDANTS".

9. On or about February 1, 2021 at approximately 8:10 a.m., Plaintiff, ALIM KHALMURATOV, possessed, operated and controlled a certain motor vehicle that was involved in the accident hereinafter more fully set forth.

10. On the aforesaid date and time, Defendant, IVAN MARINKIN, while acting individually and/or within the course and scope of his employment with the Defendant, 116 CARRIERS, INC, possessed, operated and controlled a certain tractor trailer owned by Defendant, 116 CARRIERS, INC, which tractor trailer was involved in the accident hereinafter more fully set forth.

11. On the aforesaid date and time, the vehicle operated by Plaintiff, ALIM KHALMURATOV, was completely stopped within the parking lot of the Chesapeake House Travel Plaza located along Interstate 95, a public highway located within the County of Cecil and the State of Maryland.

12. On the aforesaid date and time, the tractor trailer owned by Defendant, 116 CARRIERS, INC, and operated by Defendant, IVAN MARINKIN, acting as aforesaid, was traveling in reverse within the parking lot of the Chesapeake House Travel Plaza, when the DEFENDANTS were so careless and negligent that said DEFENDANTS, suddenly and without warning, violently struck the front of Plaintiff, ALIM KHALMURATOV's vehicle and pushed it several feet.

13. As a direct result of the DEFENDANTS aforesaid carelessness and negligence, Plaintiff, ALIM KHALMURATOV, sustained the serious personal injuries set forth below.

14. At the time and place aforesaid, the carelessness and negligence of the DEFENDANTS, acting as aforesaid, consisted of the following:

- (A) Operating their vehicle at a high and excessive rate of speed under the circumstances;
- (B) Failing to have their said vehicle under proper and adequate control;
- (C) Failing to give proper and sufficient notice of their approach;
- (D) Operating their vehicle without due regard for the rights, safety and position of the Plaintiff;
- (E) Operating their vehicle in reverse without assuring it was safe to do so;
- (F) Violating Md. Code Ann., Vehicle Laws§ 21-1102 (Limitations on backing up)
- (G) Failing to exercise due care and caution under the circumstances; and
- (H) Being inattentive.

COUNT I  
ALIM KHALMURATOV v. DEFENDANTS  
(Negligence)

15. Plaintiff, ALIM KHALMURATOV, incorporates herein by reference the averments contained in paragraphs 1 through 14 inclusive, as fully as though the same were herein set forth at length.

16. As a direct result of the DEFENDANTS carelessness and negligence as aforesaid, Plaintiff, ALIM KHALMURATOV, sustained severe and permanent internal and external injuries in and about the head, body and limbs, more particularly: L4-5 disc herniation and confirmed by

MRI requiring future injections and/or surgical intervention (L4-5 discectomy and nerve root decompressions); L2-3, L3-4 and L5-S1 disc bulges confirmed by MRI; bilateral L3-4, L4-5 and L5-S1 radiculopathy confirmed by EMG; post-traumatic lumbosacral radiculopathy; post-traumatic cervical radiculopathy; post-traumatic cervical sprain and strain; post-traumatic thoracic sprain and strain; post-traumatic lumbosacral sprain and strain; post-traumatic myofascitis; post-traumatic cervicalgia; post-traumatic bilateral shoulder sprain and strain; post-traumatic left elbow sprain and strain and a severe and permanent shock to his nervous system, all of which have caused him and will continue to cause him great pain and agony and have prevented him and will continue to prevent him in the future from attending to his daily duties and occupation, all to his great financial damage and loss.

17. As a direct result of the aforesaid accident and the injuries sustained therein, Plaintiff, ALIM KHALMURATOV, has been obliged to expend various sums of money for medicine and medical attention in and about endeavoring to treat and cure himself of his said injuries, and will be obliged to expend additional sums of money for the same purposes in the future, all to his great damage and loss.

18. As a direct result of the aforesaid accident and the injuries sustained therein, Plaintiff, ALIM KHALMURATOV, has and may suffer an impairment of his earning capacity and power, which impairment of earning capacity and power has or may exceed the sum recoverable under the limitations of the Pennsylvania Motor Vehicle Financial Responsibility Law.

19. As a direct result of the aforesaid accident and the injuries sustained therein, Plaintiff, ALIM KHALMURATOV, has and will hereinafter incur additional financial and/or medical expenses or losses which will exceed amounts that he may otherwise be entitled to recover under the Pennsylvania Motor Vehicle Financial Responsibility Law.

WHEREFORE, Plaintiff, ALIM KHALMURATOV, demands judgment against the Defendants, IVAN MARINKIN and 116 CARRIERS, INC, jointly and/or severally, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus interest and costs.

COUNT II  
NARGIZA KHALMURATOVA v. DEFENDANTS  
(Consortium)

20. Plaintiff, NARGIZA KHALMURATOVA, incorporates herein by reference the averments contained in paragraphs 1 through 19 inclusive, as fully as though the same were herein set forth at length.

21. Plaintiff, NARGIZA KHALMURATOVA, is the wife of Plaintiff, ALIM KHALMURATOV, and resides with him at 10900 Bustleton Avenue, Apt. A47, Philadelphia, Pennsylvania 19116.

22. As a direct result of the DEFENDANTS carelessness and negligence as aforesaid, Plaintiff, NARGIZA KHALMURATOVA, was for a period of time deprived, may and probably will in the future be deprived of the society, assistance and support of her husband, ALIM KHALMURATOV, all of which has been and will continue to be to her great financial, physical, psychological and emotional damage and loss.

WHEREFORE, Plaintiff, NARGIZA KHALMURATOVA, demands judgment against the Defendants, IVAN MARINKIN and 116 CARRIERS, INC, jointly and/or severally, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus interest and costs.

COUNT III  
ALIM KHALMURATOV v. DEFENDANT, 116 CARRIERS, INC  
(Negligent Entrustment)

23. Plaintiff, ALIM KHALMURATOV, incorporates herein by reference the averments contained in paragraphs 1 through 22 inclusive, as fully as though the same were herein set forth at length.

24. At all times material to this Civil Action, Defendant, 116 CARRIERS, INC, acted negligently, carelessly and in a reckless disregard for the safety of Plaintiff, ALIM KHALMURATOV, which conduct proximately caused the Plaintiff's serious and permanent personal injuries as described above.

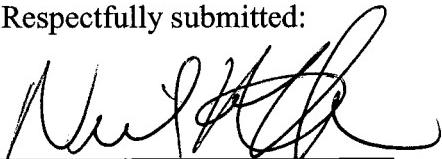
25. The acts of Defendant, 116 CARRIERS, INC, constituting negligence and carelessness are as follows:

- (a) Entrusting a motor vehicle to Defendant, IVAN MARINKIN's care, custody and operation;
- (b) Failing to take reasonable precautions to prevent Defendant, IVAN MARINKIN, from driving their motor vehicle at a time when Defendant, 116 CARRIERS, INC, knew or should have known that Defendant, IVAN MARINKIN, was incapable of operating said motor vehicle safely;
- (c) Failing to take reasonable precautions to prevent Defendant, IVAN MARINKIN, from driving their motor vehicle at a time when Defendant, 116 CARRIERS, INC, knew or should have known of the repeated reckless and negligent course of conduct of Defendant, IVAN MARINKIN, which conduct would create an unreasonable risk of harm to others.

26. As a direct and proximate result of the carelessness and negligence of Defendant, 116 CARRIERS, INC, Plaintiff, ALIM KHALMURATOV, was caused to suffer severe and permanent personal injuries as described above.

WHEREFORE, Plaintiff, ALIM KHALMURATOV, demands judgment against Defendant, 116 CARRIERS, INC, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars, plus interest and costs.

Respectfully submitted:



NEIL HOFFMAN, ESQUIRE  
Attorney for Plaintiffs

Dated: 4/22/22

VERIFICATION

ALIM KHALMURATOV, verifies that the statements made in this Pleading are true and correct. Verifier understands that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsifications to authorities.



ALIM KHALMURATOV

Dated: 04/25/2022